

SUBJECT: Waiver for certain qualified alien physicians practicing medicine in Texas

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Kolkhorst, Naishtat, Coleman, Gonzales, Hopson, S. King, McReynolds, Truitt, Zerwas

0 nays

2 absent — J. Davis, Laubenberg

SENATE VOTE: On final passage, March 19 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — José Camacho, Texas Association of Community Health Centers; (*Registered, but did not testify:* Michael Gutierrez; Starr West, Texas Hospital Association)

Against — None

On — Connie Berry, Department of State Health Services; Mari Robinson, Texas Medical Board

BACKGROUND: People who come to the United States to obtain graduate medical education may not apply for an immigrant visa or permanent residency unless they first have lived two years in their home nation or nation of last residency. Texas allows the Department of State Health Services (DSHS), in accordance with 8 U.S.C. secs. 1182(e) and 1184(l), to request waiver of the foreign country residence requirement for a qualified alien physician who agrees to practice medicine in a medically underserved area or health professional shortage area. No more than 30 waivers may be granted to Texas at any given time, and the physician must have a bona fide offer for full-time employment before applying for a waiver. The physician must agree to work in Texas for at least three years.

States are authorized to offer a limited number of additional waivers for qualified alien physicians through additional provisions in 8 U.S.C. secs. 1182 and 1184.

DIGEST:

SB 525 would allow DSHS to request, in accordance with 8 U.S.C. secs. 1182 and 1184, waiver of the foreign country residence requirement for a qualified alien physician who agreed to practice medicine in accordance with federal waiver requirements, provided priority was given to an area with a current shortage of physicians.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.